

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA )  
                                ) Case No. 1:19-cr-12  
v.                             )  
                                ) Judge Travis R. McDonough  
SHASTA EZELL                 )  
                                ) Magistrate Judge Christopher H. Steger  
                                )

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**ORDER**

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U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 33) recommending that the Court: (1) grant Defendant's motion to withdraw her not-guilty plea to Count Two of the two-count Indictment; (2) accept Defendant's guilty plea to Count Two of the two-count Indictment; (3) adjudicate Defendant guilty of possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and (4) order that Defendant remain in custody pending further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation.<sup>1</sup> Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 33) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

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<sup>1</sup> Defendant requested a re-arraignment and resentencing on the same day due to her physical condition, and the Court accommodated her request. Although the fourteen-day objection period has not yet lapsed, by not objecting to the magistrate judge's report and recommendation prior to the sentencing in this matter, the parties are DEEMED to have waived any objection to the report and recommendation.

1. Defendant's motion to withdraw her not-guilty plea to Count Two of the two-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Two of the two count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and
4. Defendant **SHALL REMAIN** in custody pending further order of this Court.
5. Sentencing took place before the undersigned on **September 20, 2019 at 10:00 a.m.**

**SO ORDERED.**

*/s/ Travis R. McDonough*

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**